| Attorney or Party without Attorney: BOBBY A. GHAJAR, Bar #198719 HOWREY LLP 550 SOUTH HOPE STREET SUITE 1100 LOS ANGELES, CA 90071 Telephone No. (213) 892-1800 FAX 1 | ⁄ю: (213) 892-2300 | | | For Court Use Only |
|---|----------------------|--------------------------------|-----------|--------------------|
| Attorney for: Plaintiff | | Ref. No. or File No.: 43629 | | |
| Insert name of Court, and Judicial District and Bra | ack Court: | | | 7 |
| United States District Court, Southern D | istrict Of Californi | a | | _ |
| Plaintiff: BMW OF NORTH AMERICA, L | LC, ET AL. | | | 1 |
| Defendant: EUROTECH WHEELS, LLC, H | T AL. | | | · · · |
| PROOF OF SERVICE | Hearing Dose: | Time: | DepeiDir: | Case Number: |
| SUMMONS IN A CIVIL | 1 | | | 08 CV 0171 JM WMc |

- 1. At the time of service I was at least 18 years of age and not a party to this action.
- 2. I served copies of the Summons ha A Civil Action Complaint; Civil Cover Sheet: Notice Of Party With Financial Interest Under Civil Local Rule 40,2; Report On The Filing Or Determination Of An Action Regarding A Patent Or Trademark

3. a. Party served:

JOSHUA MOALEMI

b. Person served:

"JOHN DOE" (Middle Eastern Male, 45-55yrs, 180lbs, black bair, brown eyes,

5'8") PERSON IN CHARGE., Served under CCP 415-20.

4. Address where the party was served:

6350 NANCY RIDGE DR.

#104

San Diego, CA 92121

5. I served the party:

b. by substituted service. On: Fri., Feb. 15, 2008 at: 4:10PM by leaving the copies with or in the presence of:

"JOHN DOE" (Middle Eastern Male, 45-55yrs, 180lbs, black hair, brown eyes,

5'8") PERSON IN CHARGE., Served under CCP 415.20.

(1) (Business) a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the peason served. I informed him or her of the general nature of the papers.

(4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left. I mailed the document on: Wed., Feb. 20, 2008 from: SAN DIEGO, CA

7. Person Who Served Papers:

a. WYMAN TRACY KROFT

b. NATIONWIDE LEGAL INC.

316 W. 2ND STREET

SUITE 705

LOS ANGELES, CA 90012

c. (213) 625-9100, FAX (213) 625-9111

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was:

e. 1 am: (3) registered California process server

(i) Independent Confractor

(ii) Registration No.:

1343

(vii) County:

San Diego

8. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

Date:Mon, Mar. 03, 2008

Judicial Council Form Rule 2.158 (alkili) Rev January 1, 2007

WAS TRACY KROPT) 43629.bobgh.1056

| | RETURN OF S | ERVICE | | | | |
|--|---|--------------------------------------|--|-----------------|--|--|
| Service of the Summons and Complaint was made by me | | | DATE 02/15/08 @ 4:10 PM | | | |
| NAME OF SERVER W. Tracy K | TITLE R | TTTLE Registered Process Server | | | | |
| Check one box below to indicate appropriate appropriate contraction of the contract of the con | priate method of service | : | | | | |
| Served personally upon | n the defendant. Place where: | zerved- | | | | |
| an extraction—made to | he defendant's dwelling, house | | de with a person of sui | table age and | | |
| Name of perso | on with whom the summons ar | nd complaint were left. | · | | | |
| Return unexecuted: | | | | | | |
| | | | | | | |
| Bro | ved on "John Doe" (Midd wn eyes, 5'8") Person Ap E ATTACHED DECLAR/ | parently in Charge | -55 yrs., 180lbs., B at business addres | lack hair, s | | |
| | STATEMENT OF SE | RVICE FEES | | | | |
| TRAVEL | | SERVICES | TOTAL \$0.00 | • | | |
| I declare under penalty of perjury to the Return of Service is true and correct Executed on: 21.00 | DECLARATION Conder the laws of the United St | 1 | he foresting information | on contained in | | |
| Executed on: 3/10/08 | | nd, # 795, Las Ange | eles, CA 90012 | | | |
| NOTICE OF RIGHT TO C | ONSENT TO TRIAL BY A | UNITED STATES I | MAGISTRATE | | | |
| IN ACCORDANCE WITH THE PROV MAGISTRATE OF THIS DISTRICT N PROCEEDINGS, INCLUDING A JUR COUNSEL FOR THE PLAINTIFF HA | AAY, UPON CONSENT OF A Y OR NON-JURY TRIAL, A | ALL PARTIES, CON IND ORDER THE EN | DUCT ANY OR ALL | | | |
| YOU SHOULD BE AWARE THAT YOU SHOULD BE COMMUNICATED THE JUDGE OR MAGISTRATE TO Y | D SOLELY TO THE CLERK | OF COURT. ONLY | IF ALL PARTIES CO | NSENT WILL | | |
| JUDGEMENTS OF THE U.S. MAGIST ACCORDANCE WITH THIS STATUT | | | | | | |

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

| Attorney or Party without Attorney: | | *************************************** | · · · · · · · · · · · · · · · · · · · | For Court Use Only |
|--|---------------|---|---------------------------------------|--------------------|
| BOBBY A. GHAJAR, Bar #198719 | | | | |
| HOWREY LLP | | | | |
| 550 SOUTH HOPE STREET | | | | i. |
| SUITE 1100 | | | | |
| LOS ANGELES, CA 90071 | | Ref. No or File No. | : | |
| Telephone No: (213) 892-1800 FAX: No: (| 213) 892-2300 | 43629 | | |
| Insert name of Court, and Judicial District and Bran | ich Court: | | | |
| United States District Court, Southern Di | | a | | |
| Plaintiff: BMW OF NORTH AMERICA, LI | | | | - |
| Defendant: EUROTECH WHEELS, LLC, E | ΓAL. | | | 1 |
| AFFIDAVIT OF | Heoring Date: | Time: | Dept/Div: | Case Number: |
| REASONABLE DILIGENCE | | 1 | | 08 CV 0171 JM WMc |

Document 6

2. Documents: SUMMONS IN A CIVIL ACTION COMPLAINT; CIVIL COVER SHEET; NOTICE OF PARTY WITH FINANCIAL INTEREST UNDER CIVIL LOCAL RULE 40.2; REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK.

| Day Wed | Date 02/13/08 | Time 10:50am | Location Business | Results SUBJECT IS NOT IN PER RECEPTIONIST. Attempt made by: WYMAN TRACY KROFT. Attempt at: 6350 NANCY RIDGE DR. #104 San Diego CA. 92121. |
|------------|---------------|-----------------|----------------------|--|
| Thu | 02/14/08 | 3:20pm | Business | SUBJECT IS NOT IN PER MALE EMPLOYEE. Attempt made by: WYMAN TRACY KROFT. Attempt at: 6350 NANCY RIDGE DR, #104 San Diego CA. 92121. |
| Fri | 02/15/08 | 4:10pm | Business | Substituted Service on: JOSHUA MOALEMI Business - 6350 NANCY RIDGE DR. #104 San Diego, CA. 92121 by Serving: "JOHN DOE" (Middle Eastern Male, 45-55yrs, 180lbs, black hair, brown eyes, 5'8") PERSON IN CHARGE., Served under CCP 415.20. a Person in charge at least 18 years of age apparently in charge of the office or usual place of business of the person served. Served by: WYMAN TRACY KROFT |
| Wed | 02/20/08 | | | Mailed copy of Documents to: JOSHUA MOALEMI |

3. Person Executing

a. WYMAN TRACY KROFT

b. NATIONWIDE LEGAL INC. 316 W. 2ND STREET **SUITE 705**

LOS ANGELES, CA 90012

c. (213) 625-9100, FAX (213) 625-9111

Recoverable Costs Per CCP 1033.5(a)(4)(B)

d.. The Fee for service was:

e. I am: (3) registered California process server

(i) Independent Contractor

(ii) Registration No.:

1343

(iii) County:

San Diego

4. I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.

1 Date: 3/3/08

howll.1056

^{1.} I, WYMAN TRACY KROFT, and any employee or independent contractors retained by NATIONWIDE LEGAL INC. are and were on the dates mentioned herein over the age of eighteen years and not a party to this action. Personal service was attempted on Defendant JOSHUA MOALEMI as follows: